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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,856	10/17/2003	Andreas Roessler	09700.0056-00	9457

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WASHINGTON, DC 20001-4413

EXAMINER

PHANTANA ANGKOOL, DAVID

ART UNIT	PAPER NUMBER
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2175

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10/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/688,856	Applicant(s) ROESSLER, ANDREAS	
	Examiner David Phantana-angkool	Art Unit 2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is responsive to the following communications: Amendment filed on June 26th, 2008.
2. Claims 1-17 are pending claims.
3. Applicants amended claims 1, 7-14.
4. Applicants added claims 18 and 19.

Claim Rejections - 35 USC § 102

5. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1 – 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Agboatwalla et al., US PG PUB# 2003/0120599 A1 (hereinafter Agboatwalla).**

As for independent claim 1:

Agboatwalla shows a computer program product, tangibly embodied in an information carrier, the computer program product comprising instructions operable to cause data processing apparatus to perform operations comprising:

- *detecting, by a client, multiple changes to a user interface of a server computer program, the user interface executing on the client and having multiple user interface elements, each change being a change to one of the multiple user interface elements (0102, 0103 and 0106);*
- *generating a rendering request for each change, each rendering request specifying the user interface element that has changed and a type of modification to be performed on the user interface element (0106 shows the step or act of checking for change of the marked information*

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may include the steps or acts of determining whether the content of the marked information has changed. The step or act of checking for change of the marked information may be performed at predetermine intervals);

- *filtering, by the client, the rendering requests to eliminate redundant rendering requests, the redundant rendering requests being identical to or a subset of another rendering request (0107, Agboatwalla shows the filtering occurs at the client when the user manually selects to update the changes or when the system automatically perform the update).*

As for dependent claim 2:

Agboatwalla shows the product of claim 1, wherein each rendering request is a request to modify a data structure representing the user interface (0106)

As for dependent claim 3:

Agboatwalla shows the product of claim 2, wherein the data structure is a document object model representation of the user interface (0057, 0098, and 0120).

As for dependent claim 4:

Agboatwalla shows the product of claim 1, wherein: the type of modification is a complete re-rendering of the user interface element (0117).

As for dependent claim 5:

Agboatwalla shows the product of claim 1, wherein: a first one of the user interface elements comprises multiple attributes; a first one of the rendering requests specifies an update of one or more, but not all, of the attributes of the first user interface element (0147 and 0199).

As for dependent claim 6:

Agboatwalla shows the product of claim 1, wherein the operations further comprise: rendering the user interface based on the filtered rendering requests (0117 and 0141).

As for claims 7-12:

Claims 7-12 reflect the apparatus comprising of computer readable instructions for performing the step of claims 1-6 and are respectfully rejected along the same rationale.

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As for dependent claim 13:

Agboatwalla shows a client system comprising:

- a processor (0050);
- a Web page rendered by the processor in a Web browser, the Web page corresponding to a server application and including one or more user interface elements (0099 and 0102);
- a document object model representation of the Web page, and a framework running in the browser, the framework including: one or more trees that store the visualization of the Web page, each user interface element being associated with a portion of the document object model representation and with a portion of the tree (0121 and 0113);
- a filtering mechanism for filtering, by the client system, redundant rendering requests, the redundant rendering requests each being identical to or a subset of another rendering request (0107, Agboatwalla shows the filtering occurs at the client when the user manually selects to update the changes or when the system automatically perform the update);
- wherein each rendering request specifies a user interface element that has changed and a type of modification to be performed on the portion of the document object model representation associated with the specified user interface element (0106 shows the step or act of checking for change of the marked information may include the steps or acts of determining whether the content of the marked information has changed. The step or act of checking for change of the marked information may be performed at predetermine intervals);

As for dependent claim 14:

Agboatwalla shows the client system of claim 13, wherein the trees include a UI tree, a data tree, or both (0121).

As for dependent claim 15:

Agboatwalla shows the computer program product according to claim 1, wherein:

a first rendering request and a second rendering request each specify a first user interface element; the first rendering request specifies a complete re-rendering of the first user interface element; the second rendering request specifies re-rendering a subset of attributes of the first user interface element; and

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the second rendering request is filtered as a redundant rendering request (0147, 0199, and 0117).

As for dependent claim 16:

Agboatwalla shows the computer program product according to claim 1, wherein: the user element is a text field, radio button, table, tray, or menu (0059 and 0103).

As for dependent claim 17:

Agboatwalla shows the computer program product according to claim 5, wherein the attribute specified by the first rendering request is a color attribute of the first user interface element (0103).

As for dependent claim 18:

Agboatwalla shows the computer program product according to claim 1, wherein each of the user interface elements filters its own rendering requests (0107, Agboatwalla shows the filtering occurs at the client when the user manually selects to update the changes or when the system automatically perform the update).

As for independent claim 19:

Agboatwalla shows a method comprising:

- *downloading a client-side framework to a client from a server, the framework including a user interface tree, the user interface tree including a child node representing a user interface element (0099 and 0102);*
- *detecting multiple changes to the user interface element and generating rendering requests corresponding to the changes (0106 shows the step or act of checking for change of the marked information may include the steps or acts of determining whether the content of the marked information has changed. The step or act of checking for change of the marked information may be performed at predetermine intervals); and*
- *filtering, by the user interface element, the rendering requests to eliminate redundant rendering requests that are identical to or a subset of another one of the rendering requests (0107, Agboatwalla shows the filtering occurs at the client when the user manually selects to update the changes or when the system automatically perform the update).*

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It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

The Examiner notes MPEP § 2144.01, that quotes In re Preda, 401 F.2d 825, 159 USPQ 342, 344 (CCPA 1968) as stating "in considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." Further MPEP 2123, states that "a reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill the art, including nonpreferred embodiments. Merck & Co. v. Biocraft Laboratories, 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir.), cert. denied, 493 U.S. 975 (1989).

Response to Arguments

7. Applicants' arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action

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is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Phantana-angkool whose telephone number is 571-272-2673. The examiner can normally be reached on M-F, 9:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DP

/Kieu D Vu/
Primary Examiner, Art Unit 2175